

# THE BUREAUCRATIC TRAP: REGISTERED RESIDENCE AND SEDENTIST BIAS IN ITALIAN SOCIAL COHESION POLICIES FOR ROMA AND SINTI

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## Abstract

This article addresses the issue of sedentist bias in development by exploring nuances and contradictions in local social cohesion policies that target the Roma and Sinti population in Italy. European cohesion policies are embedded in a decades-long history of development discourses aimed at economically underdeveloped regions within Europe as well as vulnerable social groups. The latter include groups like Roma and Sinti, who, although historically part of the European social fabric, are not always treated as such due to their alleged legacy of nomadism. We address interactions and hiccups between the policies for Roma/Sinti implemented by Italian regions and municipalities and the directives for Roma inclusion stipulated by national and EU frameworks. We argue that the translation of these directives meets and intersects with a pre-existing legislative framework consisting of regional policies for Roma and Sinti based on soft recognition and mainstream policies that revolve around an administrative milieu that aims at controlling identity and mobility within national borders. We thus reflect on registered residence, an administrative device that is used as a selective tool for granting access to citizenship rights, and on its effects on Italy's local social cohesion policies for Roma and Sinti. The implementation of EU and national frameworks for Roma cohesion, which is our main argument, can paradoxically contribute to the exclusion and marginalisation of mobile peoples in Italy. This is due to a sedentist framework in which the mechanism of registered residence, a bureaucratic trap for many Roma and Sinti, becomes extremely apparent and prompts a series of more implicit biases in local social policies.

**KEYWORDS:** sedentist bias, European development, social cohesion policies, Roma and Sinti, Italy

This paper addresses the issue of sedentist bias in development by exploring nuances and contradictions of local social cohesion policies that target the Roma and Sinti population in Italy.<sup>1</sup> We particularly reflect on registered

1 The article is the result of research work carried out as part of the *Re-Imagining Development for Mobile and Marginalised Peoples* project (see Semplici and Rodgers 2023). Although this article was devised and structured in all its parts by both authors, the first and the

residence, an administrative device used as a selective tool for granting access to citizenship rights, which also plays a key role in Italy's local social cohesion policies addressed to Sinti and Roma. Our main argument is that the implementation of EU, national and local Roma social cohesion policies can paradoxically contribute to the exclusion and marginalisation of mobile peoples in Italy due to the sedentist framework underlying their implementation techniques (see Semplici and Rodgers 2023).

Using the Italian context as a magnifying glass to see more clearly the sedentist bias in development might appear counterintuitive. Indeed, development has mainly been understood as a project of the so-called West or First World aimed at the Third World/Global South,<sup>2</sup> and Italy – a former colonial power, developed economy of the Global North and EU member – might be fundamentally regarded as a producer rather than a receiver of a development discourse. Moreover, the focus on social cohesion policies, and especially an administrative tool connected to the management of internal affairs (governance and provision of rights to citizens), might apparently escape a focus on sedentist bias in development. That is why, in this article, we initially address the complicated relationship between development discourse, the EU and Roma in Europe and explain why Roma cohesion policies may be considered as part of a wider development discourse implemented within Europe. Here we adopt Ziai's understanding of 'development' as a contested, malleable and fuzzy signifier applied to many heterogeneous empirical referents for different, and sometimes even opposing, agendas: 'a discursive shell capable of modifying and legitimising its largely arbitrary content in a particular manner' (Ziai 2009: 199; see also Ziai 2017). Social cohesion policies in the EU are embedded in the sedimented history of European development discourses that not only target extra-European contexts, but also poor European regions, as well as some vulnerable social groups that are historically part of the European social fabric (though not always treated as such). We thus show how the EU development discourse, especially through frameworks connected to Cohesion and Structural Funds, labelled the Roma and Sinti population as needy subjects with a problematic nomadic legacy and offered solutions to assist them in their path towards empowerment and inclusion.

We then focus on the Italian context in its connection with the EU development framework. We explain that Europe's first steps towards an actual juridical recognition of Roma and their rights as a minority passed through a

fourth sections were written by Marco Solimene; the third and the fifth sections by Stefania Pontrandolfo; the second and the sixth sections, the preamble and the conclusion were co-written.

2 For a critical approach to these categories see for instance Trajber Waisbich, Roychoudhury and Haug (2021).

specific social cohesion policy that resulted in the EU Strategic Framework for Roma. These interventions are rather recent and their implementation in Italy clashed (and still clashes) with a historically consolidated milieu of administrative measures that privilege fixed residence as a basis for citizenship. We thus address interactions and hiccups between local measures targeting Roma and Sinti and the directives stipulated by the EU and national frameworks for their inclusion. Finally, we discuss how registered residence, an administrative measure that historically aimed at governing and controlling the population within national borders and providing selective access to citizenship rights, plays a crucial role in the institutional fight against the – allegedly – socially, politically and symbolically dangerous nomadic practices of Roma and Sinti groups living in Italy.

In the last section, we build on three ethnographic case studies, which portray how, in Italy, neither the traditional redistributive welfare policies, nor the more recent soft recognition policies for Roma and Sinti have ever overcome implementation obstacles due to the (often discretionary) use of technical norms and administrative tools in which, de facto, all the characteristics of sedentist thinking (staticity, regularity, boundedness and formality; see Semplici and Rodgers 2023) are condensed.

## Development, the EU and Roma: a complicated relationship

The EU, especially in recent years, has become, as Hout asserts, ‘one of the major multilateral agencies in the field of development assistance’ (2010: 3). Today, EU development policies particularly (but not exclusively) address former European colonies and/or areas of strategic interest such as Middle East, North Africa and former Soviet Republics in Eastern Europe. The EU has also worked on the formulation of a specific European vision of development policies through the 2005 ‘European Consensus on Development’, whose three main axes are: ‘sustainable economic and social development of developing countries’; ‘smooth and gradual integration of these countries into the world economy’; and ‘campaign against poverty’.<sup>3</sup> Yet the EU has also been at the receiving end of development policies. Examples to this regard were the external interventions of the IMF and World Bank after the 2008 crisis, whose support to EU member states that were already under a condition of ‘unequal development’ (countries characterised by growing debt and economic

3 The Consensus was recently renewed in 2017 as part of its response to the UN 2030 ‘Agenda for Sustainable Development and its Sustainable Development Goals’ (see [https://international-partnerships.ec.europa.eu/system/files/2019-09/european-consensus-on-development-final-20170626\\_en.pdf](https://international-partnerships.ec.europa.eu/system/files/2019-09/european-consensus-on-development-final-20170626_en.pdf) [last accessed 1 June 2023]).

vulnerability such as Southern or Eastern European EU countries) was implemented ‘in a typical neo-colonial way’ (Hadjimichalis and Hudson 2014: 210; and Hadjimichalis 2013).

The EU is also promoter of a twofold, internally-directed development discourse, which targets countries considered as fragile within the European geographical and/or political territory. On the one hand, echoing the ‘eradication of poverty in the context of sustainable development’ motto of development policies aimed at extra-European contexts, there are projects addressed to non-EU countries in the process of accessing the EU, such as Albania and countries in the post-Yugoslav space, which, interestingly, are also the theatre for neo-colonial ventures by extra-European powers (see, for example, Tarabusi 2008). On the other hand, there are regional development policies historically implemented within what is now EU space. In the 1950s, in the aftermath of the Second World War, the risk of internal inequalities triggering new conflict within Europe pushed the newly-formed European Community to envisage so-called ‘cohesion policies’. Founded on the principle of solidarity, based on the principles of subsidiarity and partnership, these policies addressed areas struggling with poverty, a lack of infrastructure and transportation, resulting from the recent conflict (such as Eastern Germany) but also due to structural inequalities historically rooted in specific areas (such as southern Italian regions) (see Viesti 2011; Di Sciascio 2014). In close resemblance to the principles set by the ‘European Consensus on Development’, these internal development policies aim at reducing the democratic deficit and the structural gaps in economic development. This framework also led to recent intervention in Eastern European countries (see, for example, Torsello 2003).

The implementation of development within the EU relies on three main mechanisms of economic support: European Regional Development Funds (ERDF), European Structural Funds (ESF) and Cohesion Funds. Interestingly, in EU rhetoric, the term ‘development’ is relegated to a marginal position and often accompanied by adjectives such as ‘sustainable’ and ‘harmonious’. A central place is, instead, reserved for highly positive terms such as ‘cohesion’, ‘participation’, ‘partnership’, ‘integration’. Therefore, the impression is that, especially when talking about EU space, the EU tries to distance itself from the much-criticised traditional development frameworks in favour of an alternative, more inclusive and egalitarian articulation of development. Nonetheless, the allegations of Eurocentrism, authoritarianism and connivance with colonialism, aroused by poststructuralist and post-development approaches (see Edelman and Haugerud 2005; Ziai 2009, 2017) are also shifting towards EU development policies. In the so-called EU development ‘third way of thinking’, scholars (such as Hout 2010; Hadjimichalis and Hudson 2014) critically observed refractions of the neoliberal doctrine pervading much of the

development discourse worldwide. They thus highlighted the depoliticisation of interventions whose deeply political character is veiled and legitimised by calls for managerialism and good governance, the rise of non-state actors as important development players and the masking of authoritarian interventions under the implementation of more democratic and participatory models, such as community-based interventions that ‘tend to play a key role in advancing governmental power over the poor in the name of their well-being’ (Alene, Duncan and van Dijk 2021: 6).

Given the relationship between development and governmental power, it is not surprising that elements featured in the EU’s development discourse also appear in the framework for governing the main figures of Otherness found within EU states. We refer, for example, to migrants, whose governmentality is increasingly revolving around the logic of humanitarianism (Fassin 2011; Andersson 2014) and we especially refer to Roma, a population whose status as a minority goes together with that of an extremely disadvantaged group. Roma are figures of radical alterity due to their alleged exotic origins and a more or less explicitly attributed socio-cultural legacy of nomadism, and thus allegedly backward, with values and a lifestyle incompatible with European standards and in need of assistance in their path towards integration (McGarry 2014; Magazzini 2018). These allegations express and produce the idea of Roma as a problem at the heart of the construction of contemporary EU identity and of its governance and development discourse, not only at the fringes of Europe but also in countries, such as Italy, that are central members of the EU. On these premises, Roma have been the addressees of a multitude of projects built within a neoliberal discourse that pervades the contemporary EU (Templer 2006; Sigona and Trehan 2009), elaborated within the EU Cohesion Funds and European Structural Funds, and articulated through keywords pertaining to development rhetoric (‘inclusion’, ‘participation’, ‘empowerment’). This discourse relies strongly on governmental tools and eventually functions as a tool to govern a population of undesirables, who are also the EU’s largest minority (Pontrandolfo and Solimene 2018).

To sum up, European cohesion policies are embedded in a decades-long history of development discourses that are still carried out and that target economically underdeveloped regions, including those situated in the heart of rich and developed Western European countries, as well as particular vulnerable social groups that are historically part of the European social fabric. Among these, Italian policies for the inclusion of Roma provide an interesting case study for exploring the nuances, complexities, limits and ambiguities of EU development policies. In the next section, we focus on the Italian context and on the intersection between three levels: the EU framework, national legislation and local policies.

## The intersecting frameworks of policies for Roma and Sinti in Italy

The building process of European nation-states was, from the very outset, deeply rooted in a sedentist prejudice that systematically excluded and/or marginalised people such as foreigners (Malkki 1992) and nomads (Williams 2011), who practiced forms of mobility considered as ‘illicit’ within the national territory. According to Piasere, it was in the modern age, in conjunction with the process of setting up nation-states in Europe, that ‘a real anti-Gypsy legal tradition’ was formed: ‘If one of the foundations on which modern States were built was contrast with other states (whose members are “strangers”), another was built on anti-Gypsyism/anti-nomadism’ (1996: 25).

Italy, like the other European nation-states, was built on anti-Gypsyism and anti-nomadism, since it was from the very constitution of the unified state in 1861 that a centralised administrative apparatus was set up throughout the territory, which allowed for the activation of mechanisms to control the identity of all citizens (civil registry); in fact, the basis on which all the other functions of state bureaucracies work. Since its establishment, the civil registry system has been built on an explicit sedentist bias, because it determines that each citizen must have a localised and fixed registered residence, a ‘habitual abode’ rooted in one municipality (and not, for example, in a territory comprising several municipalities). Always in accordance with the sedentist ideology of the newly established Italian nation-state, for the first time a police corps was set up to ensure citizens’ safety and security throughout the entire national territory, whose primary objective was to control mobility across and within the national borders. National security, in other words, was based on the capacity to control and reduce the mobility of specific kinds of citizens: migrants and nomads. On the one hand, this national bureaucratic system has historically succeeded in systematically and forcibly inducing, even in the absence of special laws dedicated to these categories of people, many members of the Roma and Sinti groups living in Italy to settle (especially in the south of the country). On the other hand, it has continued to openly discriminate against members of the Roma and Sinti population, who successfully maintain an itinerant lifestyle particularly connected to itinerant working activities (above all in Northern regions) (see Pontrandolfo and Trevisan 2009; Pontrandolfo 2013; Illuzzi 2014).

Without going into the details of these long-lasting historical processes – which have endured various phases (from the monarchy to the fascist dictatorship to the republican state) and various changes in the ways of politically treating Roma and Sinti groups in Italy – we can, however, highlight the existence of a historical sedentist prejudice that has, within the Italian national state, from the very beginning boiled down to administrative mechanisms to control

the identities and mobility of citizens through the technical instruments of the registry office and public security.

A high level of prejudice towards so-called *Zingari* ('Gypsies') can, indeed, also be identified in recent history. After the end of the Second World War, national legislation totally disregarded the presence of Roma and Sinti. Nonetheless, Italian state authorities have always been concerned and preoccupied about the threat that 'Gypsies' would embody as alleged outsiders and persons who practice a nomadic way of life.<sup>4</sup> Therefore, the only measures authorities implemented were at a local level and usually consisted of repressive interventions. We refer to the renowned local ordinances prohibiting 'nomads' from parking (*'divieti di sosta ai nomadi'*) or circulating, which especially affected those mobile groups who resisted sedentarisation, continued practicing itinerant working activities and were therefore in need of places for temporary stopovers (Piasere 2012).

It is only since the 1980s that a few initial recognition policies began to be enforced with the explicit purpose of fighting the inequalities that Roma and Sinti were suffering. What we see here are devices of soft recognition that were gradually introduced to fill the gaps of a legal system that historically failed to ensure parts of its citizens their rights.<sup>5</sup> This translated into a series of regional laws, also responding to societal concerns towards the increasing number of Roma arriving from former Yugoslavia. Regional laws acknowledged the Roma and Sinti's (opaquely defined) culture and their right to mobility through various, often controversial and sometimes even counterproductive ways (see, for example, Clough Marinaro and Sigona 2011; Piasere 2012).

Important developments occurred at the turn of the twenty-first century, when the so-called 'Roma question' gained growing centrality at the EU level and the public and political debate of many member states. This change of scenario was brought about by pressure from Roma political movements that called for policies of recognition, but mostly by EU political concerns regarding

4 The long-lasting and problematic association between Roma and nomadism in Italy, and its impacts on both political/administrative measures and Roma and Sinti everyday existence, have been addressed by a large body of work since 2000. We restrict ourselves to signalling Clough Marinaro and Sigona (2011), Piasere (2012) and Pontrandolfo and Solimene (2018).

5 Beginning in the immediate aftermath of the Second World War, many Western democracies, including Italy, adopted politics of recognition that attempted to expand the rights of minorities by recognising their cultural diversity (so-called multiculturalism). Among these were policies of 'soft recognition', which acknowledged the relevance of cultural difference for the access to social services and social resources overall, albeit without formulating an actual juridical and institutionalised recognition of cultural differences. The literature on the politics of recognition and redistribution is vast; we here refer only to classical works, such as Fraser and Honneth (2003); Banting and Kymlicka (2006). On local soft recognition policies in Italy see for example Grillo and Pratt (2002). On recognition policies towards Roma and Sinti in Italy see Pontrandolfo (2014).

what was described as a sudden invasion of Eastern European Roma into Western EU countries (Templer 2006; Sigona and Trehan 2009). Therefore, the aftermath of the so-called Transition and the eastwards enlargement of the EU marked a relevant change at the European level with repercussions also for the Italian institutional approach towards the Roma.

In 2010, the European Union introduced the first EU Framework for National Roma Integration Strategies (2010–2020) among its cohesion policies. In 2012, following this framework and by way of implementing European Commission Recommendation no. 173/2011, through its National Office against Racial Discrimination (UNAR), Italy adopted the first National Strategy for the Inclusion of Roma, Sinti and Caminanti (2012–2020), which focused on four axes of development for Roma and Sinti (education, employment, health and housing) while also questioning the equation Roma = nomadism. Since Roma and Sinti are not juridically recognised as national minorities in Italy, the introduction of a national framework that local administrations could refer to in their governance of Roma and Sinti was a step forward towards local policy framing and planning processes that were more sensitive to Roma and Sinti rights. However, like other ad hoc measures described previously, it recognises the minority status of Roma and Sinti only ‘informally’ (Magazzini 2018: 207); besides, its implementation at the local administration level encountered many problems and contradictions due to structural disconnections between national and local frameworks, as well as lack of resources and political will on the part of local administrators (Magazzini, Chiozza and Rossi 2019).

A second national Roma and Sinti Equality, Inclusion and Participation Strategy (2021–2030) was approved on 23 May 2022 as an enactment of EU Council Recommendation of 12 March 2021 (2021/C 93/01), following the EU Roma Strategic Framework for Equality, Inclusion and Participation (2020–2030), which focuses on seven axes of development: contrasting and preventing anti-Gypsyism; reducing poverty and social exclusion; empowering political participation; strengthening access to education; employment; health; and housing. Some of the contradictions envisaged in the first decades of Roma-related EU projects remain: for instance, the identification of Roma as needy subjects that require paternalistic support, but also as a societal threat to be tackled through rejection (see, for instance, McGarry 2014). There are also hiccups in the interpretation, in operative terms, of principles such as ‘integration’, ‘social justice’, ‘fight against poverty and discrimination’ and ‘empowerment’.

Interestingly, the ideology of the EU development framework encountered at the Italian regional and local levels a fertile soil, constituted by state, para-state and non-state actors involved in civil society and historically supporting principles (such as privatisation, decentralisation, community governance and

subsidiarity) that lie at the heart of the EU neoliberal doctrine (Muehlebach 2012: 94–99). However, implementing the EU Framework and the National Strategy at a local level was partial, fragmented and often ambiguous. Each local administration, usually in cooperation between local authorities and the third sector, proposed its own circumstantial interpretation and implementation of EU cohesion policies towards Roma and Sinti. This interpretation does not occur on a *tabula rasa*, but rather meets and intersects with a pre-existing legislative framework made up of the previously mentioned regional policies for Roma and Sinti based on soft recognition policies (such as regional laws for the inclusion of Roma and Sinti) and mainstream policies (but still discriminating), such as redistributive national policies (for instance, welfare policies for Italian citizens) that revolve around an administrative milieu aiming at controlling identity and mobility within the borders by means of the mechanism of registered residence.

Next, we will explore how a bureaucratic device such as registered residence, at the intersection between EU cohesion policies, citizenship policies and soft Roma and Sinti recognition policies, can lead to the marginalisation and exclusion of Roma and Sinti in everyday life.

## Localism of rights and registered residence

Registered residence is a crucial issue in the wide-ranging and long-lasting debate on the concept of citizenship, especially on the progressive fragmentation of the concept of national citizenship. This fragmentation is due not only to the emergence of supranational citizenships (e.g. European citizenship) but also to the expansion and reinvigoration of ‘local citizenships’. In the Italian case, this is because the state delegated local authorities with the management of bureaucratic mechanisms to access constitutional rights. Italy is currently undergoing a debated process of progressive ‘localisation of rights’ (Gargiulo 2011) within which the heart of the disputes lies in the gap between state rules and local rules in regulating registration methods for categories of people who, by virtue of this registration, may either be excluded from, or included in, citizenship (see Muehlebach 2012).

In Italian law, officially registered residence guarantees constitutional rights: without civil registration, a person cannot access any of the civil and political rights guaranteed by the Italian Constitution. Italian law distinguishes between registered residence and domicile. As stated by Article 43 of the Italian Civil Code: ‘The domicile of a person is the place where he/she has established the main seat of his/her affairs and interests. Residence is the place where the person has his/her habitual abode’. Translated in operative terms, domicile

constitutes the place of the person's legal position with respect to his/her assets, while residence coincides purely with the place where the individual's existence unfolds, the family affections are located, and the person may satisfy his/her basic and existential needs. This means that the smaller the sum of 'affairs' and 'assets' (until it fully coincides with the concerns of mere subsistence), the more the domicile itself will assume connotations which are typical of residency, that is, existential and only marginally patrimonial. Simply put, for the poor, domicile effectively tends to be the same as residence. Therefore, 'in the mercantilist dimension of civil codification, the residence is a legal place of fundamental significance that is even more important for the poor than for the wealthy. In other words, it is the last (and only) place of belonging for those who can no longer claim any title to private property' (Morozzo della Rocca 2003: 3).

The fact that economic inequality is expressed by, and reproduced in, juridical inequality appears extremely clear when considering that, at the local level, arbitrary restrictions can be introduced on registration methods that may even clash with the national reference standard. These restrictions become a tool for local administrations to exclude categories of undesirables, such as 'elderly, sick or poor residents who will constitute a greater burden on their resources and on local services' (Ibid.: 11).

Some relatively recent changes in Italian legislation on registered residence have confirmed the trend that is turning the state's function from that of protection to that of control and exclusion. We refer especially to amendments to Law no. 1228/1954 and Presidential Decree no. 223/1989, made effective by Law no. 94/2009 (as part of the so-called Security Package), that have introduced, in regard to Italian residency legislation, the possibility (though not the obligation) for municipalities to carry out checks on living conditions and the actual stability of dwelling, which has resulted in an interpretation that is, in many cases, arbitrary and ambiguous at the local level.

In other words, there has been a shift from one law (no. 1228/1954), whose objective was to guarantee the right of domicile and residence by facilitating the acquisition of residence for foreigners, the homeless and those with no fixed abode, to another law (no. 94/2009), which weighs heavily on these subjects. Indeed, it introduces legitimate checks on their habitual presence in the municipalities and on the hygienic and sanitary conditions of the property that they have indicated as their habitual domicile, paving the way for municipalities to engage in practices that may be discriminatory and restrictive (Mariani 2010; Gargiulo 2016). 'Following these changes, it is no coincidence that many mayors have issued internal circulars or, in some cases, specific ordinances through which they have made checks on housing conditions compulsory, thus, through access to residency, discriminating against certain categories of

people on the basis of the average worse conditions of their homes' (Gargiulo 2016: 58). This happens despite the fact that, according to national legislation, housing conditions are not an obstacle to registration, 'which can – indeed, must – be carried out even for people living in “precarious” accommodation such as caves or caravans' (Gargiulo 2014: 58).

This restrictive strategy based on the characteristics of the place of abode is not the only one that municipalities adopt. Examples of restrictions not provided for by national regulations but introduced by local administrations are mayoral ordinances, circulars and local regulations, which, in operational terms, translate into the intention to 'filter' persons (who declare to be living in a municipality and who apply to be registered at the registry office) by asking them to prove that they possess additional requirements to those required by state legislation. While the latter states the 'stability of the dwelling' as the fundamental and only requirement, these additional requirements can include, for example, being in possession of a regular employment contract; having a residency card or residency permit for at least two years; the availability of an income above a certain threshold; proof of no prison or restrictive sentences; and the production of documents proving electricity and/or gas usage or documents regarding occupancy of the accommodation. The decision-making processes leading to the issuance of these kinds of restrictive measures are often vague. It is not always clear who the author is, given 'the not always clear nature of the relationships between mayors and operators – frequently mere executors of the mayor's will but, in some cases, autonomous decision-makers' (Gargiulo 2016: 59). These decision-making processes are also often invisible due to their widespread, capillary and multiple localisations at the municipal level.

Local administrations may thus tailor the regulations concerning registered residence according to their own discretion at the expense of categories targeted by prejudice, which are now exposed to discrimination, both from the structure (the legal framework) and from the single bureaucrat responsible for assessing, for instance, whether the standards required locally are met or not. As Gargiulo (2014) argues, 'even when the measures do not explicitly distinguish between Italians and non-Italians, their prevailing targets are, nevertheless, foreigners or, subordinately, those Italians who exhibit undesirable behaviours or traits, such as those with no fixed abode or Romani peoples, who live in housing that is not considered “decent”' (53).

Through three ethnographic case studies, carried out in different Italian contexts and among Roma and Sinti groups with different juridical status, histories and socio-cultural features, we will now demonstrate the complexity and fragmentary nature of citizenship when implemented selectively according to officially registered residence. We will also describe how that process

of ‘bureaucratic persecution’ (Morozzo della Rocca 2003), which tends to exclude and marginalise Italian or foreign Roma and Sinti citizens in Italy, can actually occur at a local level despite the recent attempts of soft recognition legislation to reduce inequalities.

## Bosnian Roma in Rome

The first case study considers a network of Bosnian Roma service providers who consider mobility as part of their identity. In 1992 they found refuge from the Balkan war in informal Roma shantytowns and encampments in Rome, so-called nomad camps.<sup>6</sup> Their arrival was part of a wider diaspora of war refugees, which had been preceded by a growing number of arrivals during the 1980s of Roma fleeing Yugoslavia’s political and economic crisis. This migration flow had triggered concerns in the Rome administration, which had already passed the regional law ‘in defence of the Roma’ in 1985.

This law promoted support of Roma identity and economic activities. However, the projects implemented by the city authorities continued to ignore Roma versatility, eclecticism and active participation in the city’s social, cultural and economic texture. Thus, instead of focusing on legalising the activities the Roma practiced and which were functional to the city’s economy, such as small-scale scrap-metal businesses, these projects supported ‘traditional’ occupations (such as artisan handicrafts, copper-smithing and ethnic tailoring) which reflected an exoticising and romanticised imagery of the Roma as social dinosaurs on the road to extinction. The law also foresaw a much-needed formalisation of informal and precarious Roma dwellings, which were otherwise at constant risk of being demolished. Formalisation was part of an attempt to control and civilise the ‘nomads’, who, in authorised nomad camps, would finally be introduced to the rules of civilisation: peaceful cohabitation, political representation, respect of rules, value of formal education (explicitly considered as a tool for enforcing socio-cultural changes) and stable residence.

Since legal camps were few, many Roma continued to juggle dwelling and working informality. The persons described here, whom we will call *Xomá* following their self-ascription,<sup>7</sup> were war refugees whose juridical situation was seldom recognised as rightful – and when recognised, it was only on a temporary basis. For ten years, they lived, often without a visa or any document, in a settlement that authorities tolerated for the time being. Living in the camp’s

6 This paragraph presents ethnographic data from Marco Solimene’s twenty years of fieldwork. For a detailed analysis of the trajectories of these families and the governance of Roma in Rome, see respectively Solimene (2018b) and Solimene (2018a).

7 ‘X’ is pronounced as in German *buch*.

caravans, trailers and self-made constructions gave *Xomá* access to domicile. They were also able to store and separate the scrap-metals collected around the city outskirts in the camp; women carried out other informal activities, such as begging and peddling. *Xomá* also practiced seasonal mobility: in summer they moved with their caravans to the Adriatic Riviera to practice begging and peddling. Therefore, while dwelling (in)formality hindered the acquisition of basic rights – first and foremost, those connected to registered residence – it did enable the *Xomá* to navigate the harshness of economic and juridical marginalisation, and to maintain forms of mobility which are crucial to economic strategies and identity.

When the settlement was demolished, the *Xomá* were abruptly put out on the street in a situation of illegality, no longer enjoying their previous informal rights. In 2004, by leveraging on their relational capital within the district's administration, they obtained a place in a newly made legal camp, which they still inhabit. This represented a first step towards acquiring registered residence and thus accessing documents (visa and work permits), basic services such as local schools and health services (also thanks to EU funded projects)<sup>8</sup>, and projects of inclusion (mainly apprenticeships and vocational training courses). But formalisation came at a cost.

The camp is an isolated, highly regimented and controlled area. In the name of health, hygiene and civil life, authorities have gradually hampered the camp inhabitants' mobility and space of action. For instance, abodes that were once mobile were replaced by fixed housing units, in the form of containers and/or portacabins. While these are classified as proper habitations for acquiring registered residence, they are small, overcrowded, unhealthy and quickly deteriorate, and any alteration made to improve the living conditions is considered illegal. Projects of inclusion, implemented within the EU Framework and the National Strategy, continued to build on preconceptions of Roma as persons out of place and out of time. The *Xomá* also complain about the lack of any employment prospects once the vocational training projects end. Allegedly dangerous activities, which do not conform to the idea of a disciplined citizen (especially if connected to mobility) are prohibited: not only seasonal mobility and begging, but also scrap-metal collection: although legalised, this is ostracised by the prohibition, clad under environmental concerns, to store (and separate) metals in the settlement, with negative impacts on incomes.

Despite the calls at national and EU levels for cohesion and inclusion policies, institutional interventions predominantly remain ineffective or of a repressive nature. Access to registered residence has brought some improvements in terms of juridical position and allowed the *Xomá* to remain in a

8 See for instance Ricordy et al. (2012).

territory where, in the span of three decades, they have put down strong roots. However, it has also hampered economic practices based on itinerance, which are functional to the local economy. Besides, the *Xomá* informal housing practices fill the state intervention void, but they are, nonetheless, subjected to the discretionary approval of the single street officer appointed to apply the law and the camp regulations, whose discretion is often biased by anti-Gypsy sentiments. Finally, today the threat of eviction lingers over the camp, as result of repeated EU and national calls for ending the segregating policy of the nomad camps, especially after recent investigations revealed that the city camps system had turned into a gold mine for corrupt administrators, third-sector actors and organised crime (Dalla Chiesa 2015). *Xomá* families risk now losing their homes, and the forms of life and sociability that have characterised the last 30 years, knowing that recent demolitions of Roma settlements (conducted under the banner of inclusion and fight against the concentration of marginality) have forced their inhabitants into even more precarious conditions (see Clough Marinaro 2022).

## Romanian Roma in Bari

The second case study concerns a network of Romanian Roma migrants in Bari (Apulia Region, Southern Italy).<sup>9</sup> These families hail from South-western Romania, where they had historically been settled in the city of Craiova and involved in state-work activities and compulsory education during communism. Their arrival in Bari dates back to the end of the 1990s, when they escaped Romania's economic crisis after the fall of the Ceauşescu regime. Apulia never introduced specific regional legislation for the governance of Roma; all local Roma-related policies were issued by the Bari Council, which framed Roma as 'nomads', even in cases of communities, such as the one presented here, which do not consider themselves as nomadic or practice forms of nomadism.

In this early phase (which lasted until 2007), the Roma here described faced difficulties connected to their condition as illegal migrants: they did not have European citizenship or residence permits, lacked stable and regular working contracts (thus relying on informal economic activities), and dwelt in temporary and precarious informal settlements, which authorities regularly subjected to evictions. Despite this, these Roma managed to build strong political alliances with several local third-sector organisations, which in turn

9 This paragraph presents ethnographic data from Stefania Pontrandolfo's fieldwork, carried out from 2013 to 2018. For a detailed analysis of the trajectories of these families and the governance of Roma in Bari, see respectively Pontrandolfo (2018b) and Pontrandolfo (2018a).

helped them to start direct negotiations with the Bari Council. Negotiations revolved around the effort to contrast their identification as ‘nomads’: Roma showed willingness to settle permanently in stable housing solutions in the city, and to ensure their children access to education and health assistance. The registration of children in local schools, since the very beginning of their stay in Bari, and the compliance with the vaccination campaign promoted by local sanitary services, served as tokens to prove their aspiration to integrate into the city fabric. Due to the persistence, within local authorities/administration, of culturalist frameworks insisting on the association Roma–nomadism, but also due to the retrenchment of welfare resources (hitting all local administrations in Italy), these Roma did not access social housing (an option inaccessible also for many other underprivileged and poor people in Bari); nonetheless, they obtained the opportunity to live in an authorised camp without the constant threat of eviction.

The creation of the city’s first and only authorised Roma camp, situated in the Japigia neighbourhood on land owned by the municipality and provided with basic urban infrastructure, occurred in 2007, the year of Romania’s accession to the EU. Now European citizens, the Roma were able to appropriate the area granted to them by the city council and autonomously organise their lives within it. Since then, many projects of inclusion were financed through the Apulia Region, the Bari Municipality and the local third sector, and – after the adoption of the EU framework and the Italian Strategy for Roma and Sinti Inclusion – also with EU funding. Most projects focused especially on supporting schooling (with a subtle re-education aim) and to a lesser extent inclusion in the labour market (the access to health national system being facilitated by European citizenship). No investment was dedicated to improving the dwelling conditions in the camp, which after sixteen years is still made up of self-built huts.

The stability of living in an authorised camp has had a positive effect on the life opportunities of the settlement’s inhabitants, also in terms of work opportunities. These include a combination of various informal practices such as begging; agricultural seasonal work; occasional employment in construction and demolition or as housekeepers or carers; recycling of food, objects and materials that are then sold at street markets authorised by the city council; and scrap-metal collection. The Roma have also set up a cooperative society, which operates in the sector of cleaning, small removals, transportation, gardening and recycling.

Housing stability has also facilitated the reunification of extended families whose members, once living closely together in the same neighbourhood in Craiova, had then become dispersed with migration. Many among those who at first had remained in Craiova gradually started moving to Bari, joining relatives already living there. This recreated an authentic community in

Bari, where a spatial and socio-cultural closeness similar to that of Romania can be found in the camp. Moreover, many children were born in Bari, attend school there and are growing up immersed in a local socio-cultural lifestyle. Much like any other resident of Bari, they become regular customers for local businesses, permanent users of local services, reliable workers in both formal activities (sometimes commissioned by local institutions) and informal ones. In this way, over the years, they have built and maintained relations with the local population and authorities, which today define this community as the ‘Roma community of Japigia’ and consider it part of the city’s social fabric.

Nonetheless, a paradox in local policies hinders the complete inclusion of this Roma network. The Bari Council always conceived the camp as an interim solution for people considered as mobile and thus only temporarily inhabiting the city territory. It thus established that the camp is a typology of dwelling that does not meet the council’s standard for a ‘permanent’ dwelling. The lack of requirements set by municipal regulations (standard housing conditions, or a contract for regular employment) thus restrained the camp’s inhabitants from accessing registered residence: out of about 150 people, only a dozen have registered residence (those with a regular contract in the above-mentioned cooperative society). Hence, by denying registered residence, the same local administration that recognises the right of a fixed abode for these Roma families, also denies their access to citizenship rights. In a certain sense, the longstanding discriminatory administrative treatment of Roma as nomads at the local level continues to prevail over any attempt to induce positive change through soft recognition strategies.

## Italian Sinti in Modena

The third case study concerns some extended families of Italian Sinti, permanently settled in and around the city of Modena (Emilia-Romagna Region) at least since the early twentieth century.<sup>10</sup> They are Italian citizens who have contributed to Italy’s history, for example by participating in twentieth-century wars as soldiers in the Italian army, but also as partisans in the resistance against Nazism/fascism. These families have historically occupied the economic niche of travelling entertainment, initially working in the circus sector and then in fairground attractions. Nowadays, they still conduct an itinerant but seasonal lifestyle, but also have a stable dwelling space. Most are service providers who still work with fairground attractions; some also work as scrap-metal collectors

10 This paragraph presents data from the research for *Re-Imagining Development for Mobile and Marginalised Peoples*, conducted in Italy in 2021 by both authors in collaboration with Laura Secchi (Pontrandolfo, Solimene and Secchi 2022).

and peddlers. Emilia-Romagna was one of the first Italian regions to introduce legislation specifically aimed at Roma and Sinti with the 1988 regional law for 'nomadic minorities'. Compared to other regions, it dedicated greater institutional attention to its Sinti population and introduced the experimental dwelling policy of the 'micro-areas'. These are smaller and less segregating spaces than the 'nomad camps' and are thought to host only a single extended family. Modena was among the first Italian municipalities to adopt a 'micro-area' housing policy for the local Sinti, as an alternative to the 'camp'. This decision was the result of a lengthy negotiation process that saw the local Sinti families as active interlocutors. These families had been forced to settle in the city's only 'nomad camp', where they were obliged to cohabit with other Sinti family networks, since 1983. This led to a situation of overcrowding and conflicts among the camp's inhabitants; it also triggered negotiations between the families, the third-sector organisations that were supporting them and local administrations, to envision alternative, smaller settlements ('stopover places') for extended Sinti families. These experiments began in the second half of the 1990s, were supported by the 1998 regional law, and eventually led the Modena municipality to create the first official micro-area in 2003. The formalisation of this initial experiment was followed by others, which significantly reduced, though not solved, the problems of overcrowding in the camp (which still exists in the form of 'adjoining micro-areas').

Following the National Strategy's critical stance toward the segregating effects of the camp system, the more recent Emilia-Romagna regional law of 2015 also focused on the transition from 'nomad camps' to micro-areas (to be permanently inhabited mainly by Sinti). Nonetheless, even where created, micro-areas were built on municipal-owned land entrusted temporarily to the Sinti families under an agreement that foresees the equally temporary assignment of registered residence. In the Modena case, this 'administrative concession for family stopover areas' has a duration of one year, although it has been tacitly renewed for years. But the concession foresees a series of obligations for residents that would not be required of any other Italian citizen (included those living in fragile situations, such as council housing). These obligations include 'compulsory school attendance for children' (required by law for all Italian citizens, but here reiterated as a fundamental prerequisite for residing in the area); regular payment of household bills (which is taken for granted in any other typology of settlement, but not in these micro-areas); having to request permission to host unauthorised persons in the area (which could never be required of Italian citizens in any condominium or social housing); and recommendations such as 'respecting the rules of good neighbourliness and proper civilised living' (which makes the 'civilising' intentions of this concession quite explicit). A further condition of the agreement is that the areas

are subject to regular inspections, and, in the event of non-compliance, the municipal administration has the right to immediate revocation. These periodic checks and the possibility of the area being evacuated cause a state of perpetual uncertainty among the inhabitants, who nonetheless accept these conditions as the only way of ‘getting out of the camp’. The problem of registered residence, moreover, has not been solved, not only because it is only temporarily granted, but also because not all those who habitually live in a micro-area have access to it. This may depend on various factors. For example, when the maximum number of persons authorised to reside in the area is exceeded due to births, marriages, or family reunifications, this prevents the latest arrivals from applying for registered residence in the micro-area. In other cases, difficulties arise from the uncertain duration of temporary family reunifications, or from irregular household bill payments, or irregularity in employment contracts.

## Conclusions

This paper has explored sedentist bias in development by taking a close look at the intersection between EU and Italian frameworks for Roma inclusion and local social cohesion policies for Roma. We analysed hiccups in the ways that these three levels interact. While multi-scalar efforts introduced the first important steps on the path to recognising the Roma and their rights as a minority and as EU citizens, they were built upon ambivalent ideas of Roma as needy and vulnerable subjects as well as a threat, largely due to their alleged legacy of nomadism. We then explained how the interpretation and implementation of EU cohesion policies at a local level found a consolidated administrative milieu that aims at fighting specific forms of mobility considered illicit through the mechanism of registered residence. Registered residence plays a key role in Italy’s local social cohesion policies. It determines access to rights such as housing, health, employment, education and political participation and, as such, has been instrumental in the discrimination of groups targeted by prejudice and may become a bureaucratic trap for Roma and Sinti. The explicit sedentist framework behind the mechanism of registered residence also prompts a series of more implicit biases in local social policies.

Ethnographic cases were used to support our argument. The case study in Rome demonstrates that while registered residence can bring improvements in terms of juridical condition, it can also hamper practices based on itinerance and, ironically, the right to a decent job and housing. In the Bari case study, this bureaucratic mechanism has been used to deny improvements in terms of juridical condition, even though requirements such as stable dwelling and employment are fulfilled. In Rome, as in Bari, finding a flat to rent is costly, social

housing is scarce and alternatives (such as a caravan or a self-made construction on private property) often do not grant access to registered residence. The poorest Roma are therefore trapped, sometimes without registered residence, in urban ethnic shantytowns where the authorities' fight against informality is accompanied by an implicit, pragmatic, arbitrary tolerance. The Modena case in turn shows that Italian citizens are discriminated against precisely because they are Sinti and mobile. The destinies of these families, already made difficult by the structural retrenchment of welfare resources, are now in the hands of bureaucrats and administrators, whose discretionary application and interpretation of laws, and of principles sanctioned by EU and national frameworks for Roma inclusion, are often biased by strong anti-Gypsy and anti-nomadic prejudice.

Registered residence expresses and contributes to the construction of borders and internal boundaries, which separate legal citizens from illegal ones, but also deserving citizens from non-deserving ones. Despite the efforts (not always devoid of ambiguity and sedentist biases) on the part of the EU to correct inequalities historically created and maintained by the traditional redistributive policies of the Italian state (and more recently also through the introduction of soft recognition policies and a National Strategy), the bureaucratic registered residence trap continues to persist and risks undermining the efforts made, and/or magnifying the contradictions of the EU development discourse.

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